

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

BOLD ET AL.

APPLICATION NO: 10/766,181

FILED: JANUARY 27, 2004

FOR: PYRIDINE DERIVATIVES INHIBITING ANGIOGENESIS AND/OR  
VEGF RECEPTOR TYROSINE KINASE

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Sir:

Novartis AG, a Swiss National company, having a place of business at Lichtstrasse 35, Basel, Switzerland 4056, represents that it is the assignee and owner of the entire interest in the above-identified application by virtue of an assignment which has been recorded at reel number 01498 and frame number 0421 for U.S. Patent No. 6,706,731 of which the present application is a continuation.

Applicants hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term defined in 35 USC §154-156 and §173, as presently shortened by any terminal disclaimer, of prior **Patent No. 6706731** issued March 16, 2004. Said Patent No. 6706731 is also assigned to Novartis AG by virtue of the same assignment.

Applicants hereby agree that any patent granted on the above-identified application shall be enforceable only for and during such period that it and prior Patent No. 6706731 are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assigns.

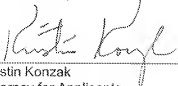
In making the above disclaimer, Applicants do not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 USC §154-156 and §173 of prior Patent No. 6706731, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent

jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

A terminal disclaimer fee under 37 CFR §1.20(d) is included.

Signed this 16 day of January, 2007 by the undersigned attorney of record.

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